

PATENT

#7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Edward A. Johnson  
Serial No.: 09/762,077 Art Unit: Not yet known  
Filed: 01/30/01 Examiner: Not yet known  
Title: INFRARED RADIATION SOURCES, SENSORS AND  
SOURCE COMBINATIONS, AND METHODS OF  
MANUFACTURE  
Docket: 56326-032 (IOPL-007)

RECEIVED

14 JAN 2002

Log. Control  
International Division

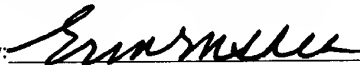
CERTIFICATE OF EXPRESS MAILING (37 C.F.R. 1.10)

"Express Mail" Label Number: **EL 928684715 US**

Date of Deposit: January 7, 2002

I certify that this correspondence is being deposited on the date indicated above with the United States Postal Service as "Express Mail, Post Office to Addressee" Service under 37 C.F.R. 1.10, addressed to Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: JAN. 7, 2002

By: 

Attn: PCT Legal Office

Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

RENEWED PETITION UNDER 37 CFR § 1.47(a)

Dear Sir:

In response to the DECISION ON PETITION UNDER 37 CFR § 1.47(a) dated 7 November 2001, having a response set to expire in two (2) months, on 7 January 2002, Applicants hereby renew their petition of 08 August 2001 as follows:

A. All Available Joint Inventors

In accordance with MPEP § 409.03(a)(A), a declaration of the available joint inventors, Edward A. Johnson, John S. Wollam, and James T. Daly, made on their own behalf and on

behalf of non-signing joint inventor W. Andrew Bodkin, as required by 37 C.F.R. § 1.64, and in accordance with 37 CFR § 1.497, is submitted herewith.

B. Proof of Unavailability

In accordance with MPEP § 409.03(d), the belowsigned Attorney Mark G. Lappin, submits a Declaration, attached hereto, that fully describes the facts relied on to establish that a bona fide attempt was made to present a copy of the application papers (specification, claims, drawings, and declaration) to the non-signing inventor, W. Andrew Bodkin, and that W. Andrew Bodkin refused to sign the declaration.

Specifically, the Declaration supports the fact that Attorney Lappin hand-delivered the application papers to the non-signing inventor, W. Andrew Bodkin, on 5 January 2002, and that inventor Bodkin expressly refused to sign the declaration.

C. Last Known Address

In accordance with MPEP § 409.03(e), the last known address of W. Andrew Bodkin is: 37 Forest Street, Needham, Massachusetts 02492.

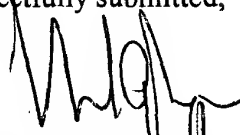
D. Conclusion

As the requirements under 37 C.F.R § 1.47(a) have been met, Applicants request that this Renewed Petition be granted. No additional petition fee is required, however, please charge any shortage in fees due in connection with the filing of this paper to Deposit Account 50-113.

U.S.S.N. 09/762,077

Page 2

Respectfully submitted,



---

Mark G. Lappin, P.O.  
Registration Number 26,618

Date: January 7, 2002

McDERMOTT, WILL & EMERY  
28 State Street  
Boston, Massachusetts 02109  
Tel. (617) 535-4000  
Fax: (617) 535-3800

Enclosed: Declaration of Mark G. Lappin; and  
Executed declaration of available joint inventors, Edward A. Johnson, John S.  
Wollam, and James T. Daly.